



Attorney Docket No. 844-002

9909/2681  
#5 add 12/23/03  
**RECEIVED**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DEC 10 2003

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Technology Center 2600

In re Application of

Examiner: TBA

Pascazi

Group Art Unit: 2681

Serial No. 09/902,466

Filed: July 10, 2001

For: SYSTEM AND METHOD FOR CELL PHONE SIGNAL TRANSMISSION  
VIA THE INTERNET

-----X

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT  
UNDER 37 CFR 1.181**

**Mail Stop Petition**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sirs:

Applicant hereby file this Petition to Withdraw Holding of Abandonment pursuant to 37 CFR 1.181.

Pursuant to 37 CFR 1.181(b), embodied herein is a concise statement of the pertinent facts and the necessary Exhibits to support this petition. It is asserted by the Applicant that no fee is due under this Petition to Withdraw Holding of Abandonment.

On October 15, 2001, Applicant filed a Response to Notice to File Missing Parts, attached hereto as Exhibit 1 is a copy of the response as filed that was received at the U.S. Patent

Office on October 18, 2001. A copy of the stamped return postcard is attached hereto as Exhibit 2. A Notice of Abandonment was mailed on November 26, 2003 stating that the present application went abandoned for failure to respond to the Notice to File Missing Parts mailed on August 31, 2001. A copy of the Notice of Abandonment is attached hereto as Exhibit 3.

This Petition to Withdraw Holding of Abandonment has been prepared immediately and all reasonable steps have been taken to promptly correct the U.S. Patent Office mistake. Applicant respectfully submits that the U.S. Patent Office's abandonment of this Application is in error and that the Response to the Notice of Missing Parts was timely filed.

As such, Applicant submits this grantable Petition to Withdraw Holding of Abandonment and requests that the Office of Petitions withdraw the abandonment of this Application. Applicant authorizes the U.S. Patent Office to charge any additional fees that may arise under this petition to deposit account No. 19-2825 order number 844-002.

Respectfully Submitted,

SOFER & HAROUN

By:

  
Joseph Sofer  
Reg No. 34,438  
317 Madison Avenue  
Suite 910  
New York, NY 10017  
(212) 697-2800

Dated: 12/8/03



Docket No. 844-002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RECEIVED**

Applicant(s) : Pascazi  
Serial No. : 09/902,466  
Filed : July 10, 2001  
For : SYSTEM AND METHOD FOR CELL PHONE...

DEC 10 2003

Technology Center 2600

CERTIFICATE OF MAILING (37 C.F.R. 1.8a)

Mail Stop Petition  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I hereby certify that the attached Petition to Withdraw Holding of Abandonment w/ Exhibits, and Return Postcard along with any paper(s) referred to as being attached or enclosed and this Certificate of Mailing are being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Respectfully submitted,

SOFER & HAROUN, L.L.P.

By: Sandria Cirillo  
Sandria Cirillo

Date: 12/5/03

Mailing Address:

SOFER & HAROUN, L.L.P.  
317 Madison Avenue, Suite 910  
New York, New York 10017  
Tel:(212)697-2800  
Fax:(212)697-3004

## **EXHIBIT 1**

FOR SECURITY PURPOSES THE BORDER OF THIS DOCUMENT CONTAINS MICROPRINTING  
ADVANCED ADVISORY CORP.  
232 NEW HACKENSACK ROAD  
WAPPINGERS FALLS, NY 12590

THE BANK OF NEW YORK  
ROUTE 9  
WAPPINGERS FALLS, NY 12590  
50-235/219

0001066

NUMBER

0001066

10/100  
DATE 10/10/01

AMOUNT \$420.00

PAY *four hundred twenty dollars and 00/00*  
TO THE *Commissioner of Patents & Trademarks*  
ORDER *of*  
OF *W.M. Sump Pres.*

THE REVERSE SIDE OF THIS DOCUMENT INCLUDES AN ARTIFICIAL WATERMARK HOLD AT AN ANGLE TO VIEW  
"001066" "0219023521" "6800867892"

Commissioner of Patents & Trademarks  
Washington, D.C. 20231

Sir: Please stamp the date of receipt and the serial number, if appropriate, hereon, and return by mailing. Thank you.

Documents:

- 1) Response to Notice to File Missing Parts
- 2) Notice to File Missing Parts
- 3) Certificate of Mailing 8) Informal Drawings
- 4) Return Postcard
- 5) Small Entity Form
- 6) Check for \$420.00
- 7) Declaration

Date Documents Mailed: October 15, 2001  
For Application-

Title: SYSTEM AND METHOD FOR CELL PHONE....  
Serial No. 09/902,466  
Art Unit: TBA  
Docket No.: 844-002

Applicant: Michael Pascazi  
Filing Date: July 10, 2001  
Attorney: Robert M. Haroun

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Technology Center 2600

PATENT

Docket No. 844-002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Pascazi  
Serial No. : 60/217,554 Examiner: TBA  
Filed : July 12, 2000 Group Art Unit: 2681  
For : SYSTEM AND METHOD FoR CELL PHONE TO CELL  
PHONE SIGNAL TRANSMISSION VIA THE INTERNET

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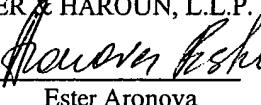
HON. COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

Sir:

I hereby certify that the attached Response to Notice to File Missing Parts, Notice to File Missing Parts, Small Entity Form, Check for \$420.00, Informal Drawings, Declaration, and Return Postcard along with any paper(s) referred to as being attached or enclosed and this Certificate of Mailing are being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Respectfully submitted,

SOFER & HAROUN, L.L.P.

By:   
Ester Aronova

Date: 10/15/01

Mailing Address:

SOFER & HAROUN, L.L.P.  
342 Madison Avenue, Suite 1921  
New York, New York 10173  
Tel:(212) 697-2800  
Fax:(212) 697-3004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

X

In re Application of

Pascazi

Serial No.: 09/902,466

Filed: July 10, 2001

For: SYSTEM AND METHOD FOR CELLPHONE  
TO CELL PHONE SIGNAL TRANSMISSION  
VIA THE INTERNET

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**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION  
FILING DATE GRANTED**

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

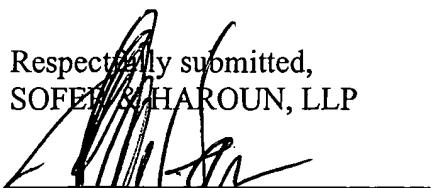
SIR:

Enclosed with this Response, please find a check in the amount of \$420.00  
(for the basic application filing fee and surcharge) along with a Small Entity Form and  
Declaration. A copy of PTO-1533, Notice to File Missing Parts of Application, is also enclosed.

Any additional fees required in connection with this application may be charged  
to Deposit Account No. 19-2825.

Respectfully submitted,  
SOFER & HAROUN, LLP

By:

  
Robert M. Haroun  
Reg. No. 34,345  
342 Madison Avenue, Suite 1921  
New York, New York 10173  
(212) 697-2800

Dated: October 15, 2001



**UNITED STATES PATENT AND TRADEMARK OFFICE**

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/902,466	07/10/2001	Michael Pascazi	844-002

**CONFIRMATION NO. 6786**

**FORMALITIES LETTER**

**RECEIVED**

UC000000006504865\*

DEC 1 0 2003

Technology Center 2600

Date Mailed: 08/31/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

***Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 420.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

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*A copy of this notice **MUST** be returned with the reply.*

*S School*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

## **EXHIBIT 2**

Commissioner of Patents & Trademarks  
Washington, D.C. 20231

Sir: Please stamp the date of receipt and the serial number, if appropriate, hereon, and return by mailing. Thank you.

Documents:

- 1) Response to Notice to File Missing Parts
- 2) Notice to File Missing Parts
- 3) Certificate of Mailing 8) Informal Drawings
- 4) Return Postcard
- 5) Small Entity Form
- 6) Check for \$420.00
- 7) Declaration

Date Documents Mailed: October 15, 2001

-----For Application-----

Title: SYSTEM AND METHOD FOR CELL PHONE....

Serial No. 09/902,466

Applicant: Michael Pascazi

Art Unit: TBA

Filing Date: July 10, 2001

Docket No. 1844-002

Attorney: Robert M. Haroun



**EXHIBIT 3**



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/902,466	07/10/2001	Michael Pascazi	844-002

CONFIRMATION NO. 6786

ABANDONMENT/TERMINATION  
LETTER

\*OC000000011364168\*

Date Mailed: 11/26/2003

## NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 08/31/2001.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

  
 Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART I - ATTORNEY/APPLICANT COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/902,466	07/10/2001	Michael Pascazi	844-002

CONFIRMATION NO. 6786  
**ABANDONMENT/TERMINATION LETTER**



\*OC000000011364168\*

SOFER & HAROUN, L.L.P.  
 317 MADISON AVE.  
 SUITE 910  
 New York, NY 10017

Date Mailed: 11/26/2003

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*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE